



# ***COMMITTEE of the WHOLE***

## ***CITY COUNCIL***

**MINUTES**  
**March 12, 2012**  
**5:00 P.M.**

### **COUNCIL MEMBERS PRESENT:**

M. Goodman-Hinnershitz, D. Sterner, D. Reed, F. Acosta, R. Corcoran, S. Marmarou

### **OTHERS PRESENT:**

L. Kelleher, S. Katzenmoyer, C. Geffken, T. Butler, M. Vind, D. Rauch, V. Spencer, L. Murin, E. Lloyd

Council President Acosta called the Committee of the Whole meeting to order at 5:04 p.m.

### **I. Financial Legislation**

Mr. Vind stated that a bond refinancing is on this evening's agenda for final passage. He stated that the savings will be approximately \$104,000 over the term of the debt cycle.

Mr. Rauch distributed a corrected copy of the ordinances with typographical errors corrected.

Ms. Goodman-Hinnershitz requested a summary of all debts incurred by the City. She noted the need to justify her financial decisions and to use this information as the City's financial condition changes. Mr. Vind stated that he has this information at the office and will be glad to supply it. He stated that he is currently working with PFM on a similar project.

Ms. Reed stated that this information will assist Council in fully understanding the City's financial condition.

## **II. Reading River Tribe Presentation**

Ms. Katzenmoyer stated that she confirmed the attendance of Cory Rhodes but that he has not yet arrived.

Mr. Acosta stated that agenda review would begin at this time and this topic would be revisited upon the arrival of Mr. Rhodes.

## **III. Agenda Review**

Mr. Acosta requested that public comment be split into agenda and non-agenda topics as per the agenda. He stated that there is much business to conduct this evening.

Ms. Goodman-Hinnershitz questioned if Council staff was to continue following the 5 pm registration deadline. Council agreed that it should.

Mr. Marmarou stated that this had been relaxed in the past and citizens will need to adjust to the new requirement.

Mr. Acosta questioned the topics of the non-agenda speakers. Ms. Kelleher stated that they are mostly regarding the Merchant Parking Permit issue.

Mr. Sterner stated that this issue lies within his district. He stated that the issue has been placed squarely in Council's lap. Ms. Kelleher stated that the Parking Authority has discontinued the permit since the program was never created by Council. She suggested holding a separate meeting on this issue. Council agreed.

Ms. Katzenmoyer distributed a memo and attachments of items which need to be added to this evening's agenda including:

- An award of contract for phase 2 of the police video surveillance project
- An ordinance for introduction setting the salary of the Managing Director at \$95,550 annually

In addition, the packet contained the most recent corrected position ordinance and the amendment to the Certificate of Transfer Ordinance which was to be distributed this evening.

Council reviewed this evening's agenda including the following:

- Resolutions regarding Federal Aid Reimbursement Agreements with PennDOT for a lighting project and a crosswalk project

Ms. Goodman-Hinnershitz requested additional information on these items. Ms. Butler stated that Mr. Younger requested the items appear on the agenda. She stated that she has no additional information.

Ms. Reed questioned who was performing the work. Mr. Geffken stated that these resolutions request reimbursement of funds only. He suggested that questions be referred to Mr. Jones upon his arrival.

Mr. Rhodes arrived at this time.

- Resolutions regarding fire promotions

Mr. Geffken stated that these promotions are needed due to the retirement of Chief Kulp and the medical issues of Mr. Wentzel. He stated that there will be two fire fighters promoted to lieutenant at a future meeting.

- Ordinance amending the Categories of Employment

Ms. Goodman-Hinnershitz questioned how the City determines which interns are paid and which are not. Ms. Kelleher stated that generally long-term interns are compensated and at times will also receive credit where short-term interns receive credit only.

- Ordinance to acquire 405 A S 7<sup>th</sup> St at Sheriff Sale

Ms. Butler stated that the date of the sale is incorrect on the ordinance. She noted the need to have this corrected before the legislation is signed.

Mr. Spencer stated that Trades has determined that this structure is unsafe and should be demolished.

Ms. Butler noted the need for the City to devise a plan for all the properties it is acquiring through the Blighted Property Process. Mr. Geffken stated that this is a work in progress and that he is working with the Redevelopment Authority and Reading Beautification for maintenance services.

- Ordinance amending the Position Ordinance by including all part time, temporary and seasonal employees

Mr. Geffken began review of the corrected positions as distributed this evening. He stated that the part time and seasonal employees are included in this version.

Ms. Goodman-Hinnershitz stated that this will need lengthy review and suggested that the Reading River Tribe presentation be heard at this time.

## **Reading River Tribe Presentation (cont.)**

Mr. Rhodes stated that he is the owner of Reading River Tribe. He stated that his boaters leave the river at the Jefferson Landing. He stated that the area is currently overgrown and noted his hope to clear the area and maintain it. He stated that he hopes to plant gardens. A lease agreement for the land would be necessary.

Mr. Acosta questioned if Mr. Rhodes has spoken with the Mayor. Mr. Rhodes stated that he had spoken to former Mayor McMahon and had appeared before the Council Public Works Committee.

Mr. Marmarou encouraged this project stating that it would occur at no cost to the City.

Mr. Jones arrived at this time.

Mr. Rhodes stated that he has drafted a lease agreement for the City's law office to review and revise. He stated that this location is near the Perma Cultivate farm.

Mr. Geffken explained that a portion of this area may need to be used during the renovation and work at the 6<sup>th</sup> & Canal Pump Station.

Mr. Acosta suggested legal review of the lease agreement and Council action when the details have been worked out.

Ms. Reed noted her gratitude to Mr. Rhodes for wanting to assist the City and make improvements.

Ms. Goodman-Hinnershitz noted the addition of the beach at another river landing. She stated that this area has seen an increase in litter because of it. She questioned if litter has been problematic farther down river. Mr. Rhodes stated that there is some litter but that he routinely removes it.

Ms. Goodman-Hinnershitz questioned if the Administration was looking at the river front. Mr. Spencer stated that he does plan to address it with Public Works.

## **Agenda Review (cont.)**

Mr. Acosta called Council's attention back to this evening's agenda.

Mr. Acosta requested an update on the PennDOT reimbursement resolutions. Mr. Jones stated that the Penn St lighting project has been bid two times and there were problems both times.

He stated that in the meantime the PennDOT form has changed and the new Mayor needs to sign the forms.

Mr. Jones stated that there is additional funding available from PennDOT on the crosswalk project. He stated that this project has been bid one time and there was one respondent. He stated that PennDOT requires additional information when there is only one bid response.

Ms. Goodman-Hinnershitz noted the condition of the crosswalk in the 600 block of Penn St. She stated that bricks are missing and questioned how this would be repaired. Mr. Jones stated that the crosswalk would be patched with macadam. He added that depending on the results of the work on the other crosswalks, the City may replicate them for all of Penn St.

Mr. Acosta noted the condition of a building in the 900 block of Penn St. Mr. Geffken stated that Mr. Natale addressed this property today.

- Ordinance amending the Position Ordinance by including all part time, temporary and seasonal employees

The discussion of this amendment continued.

Ms. Reed stated that her position is unchanged.

Ms. Kelleher questioned the economic development manager in the Managing Director's office. Mr. Geffken stated that this is Mr. Kromer who will continue work on the City's Economic Development Strategy. He also stated that Mr. Kromer is still paid by the Wyomissing Foundation.

Ms. Goodman-Hinnershitz suggested that Council meet as a body with the Mayor about the additional positions in the Mayor's office. She noted the investment of time spent on this issue. She stated that she will only support the Mayor's positions if there is a complete dialog.

Ms. Kelleher questioned the addition of the Solid Waste Coordinator/Environmentalist. Mr. Geffken explained that Mr. Denbowski will fill this position. He stated that he requested to return to solid waste.

Ms. Reed questioned Mr. Denbowski's involvement in the City since January. Mr. Geffken stated that he has been using accrued vacation time and working on in-sourcing the recycling program and preparing the 14<sup>th</sup> & Walnut location for the office move.

Mr. Marmarou noted the need to move on. He stated that the public wants the fighting to stop.

Ms. Kelleher questioned the information specialist position. Mr. Geffken stated that this column is empty as there is no one filling the position.

Ms. Goodman-Hinnershitz stated that the community is concerned at the way positions are being filled. She noted the need for the public to understand the process and how decisions are made.

Mr. Acosta stated that there have yet to be formal discussions between Council and the Mayor about these positions. He stated that he supports communication and following process. He noted the need to define the process to move on.

Ms. Reed stated that she felt bullied and pressured about these positions. She suggested that those currently holding these positions not be part of discussions and that discussions be between the Mayor and Council members only. She stated that this is allowable under the Sunshine Act and that part of the problem is that these positions are already filled.

Mr. Acosta questioned if this discussion could occur in executive session.

Ms. Reed noted the need to also discuss the movement of the former Executive Assistant to the Mayor. Mr. Geffken stated that this is considered an exemption in the Sunshine Act as it is personnel related.

Ms. Butler stated that an executive session is in order if people and not only positions are being discussed.

### **III. Executive Session**

Council President Acosta announced that Council was entering executive session. He stated that the topic is personnel and read the following portion of the Sunshine Act:

Section 708 (a) 1 of the Sunshine Act allows executive sessions “to discuss any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the agency, or former public officer or employee, provided, however, that the individual employees or appointees whose rights could be adversely affected may request, in writing, that the matter or matters be discussed at an open meeting. The agency’s decision to discuss such matters in executive session shall not serve to adversely affect the due process rights granted by law, including those granted by Title 2 of the PA Consolidated Statutes (relating to administrative law and procedure.) The provisions of this paragraph shall not apply to any meeting involving the appointment or selection of any person to fill a vacancy in any elected office.”

Council entered executive session at 5:55 pm and exited at 6:47 pm.

## **Agenda Review (cont.)**

- Ordinance amending Bicycles Section 3-106 Operation and Parking

Mr. Geffken stated that this is in response to DID ambassadors using bicycles on sidewalks.

Mr. Marmarou questioned the ability of Albright College to drive golf carts on the sidewalks and in the streets.

Mr. Acosta noted the small bikes with engines and other small, motorized vehicles.

Ms. Goodman-Hinnershitz suggested that these issues be discussed at the Public Works, Public Safety, and Neighborhood Services Committee.

Chief Heim arrived at this time.

- Override of veto of 14-2012

Ms. Kelleher stated that if Council wishes to override the veto a motion needs to be made from the table. She noted the need for 5 yes votes for the override to be successful.

The meeting adjourned at 6:57 pm.

Respectfully Submitted  
*Linda A. Kelleher, CMC, City Clerk*